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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
: No. 09-50026 (REG)
MOTORS LIQUIDATION COMPANY, *et al.*, :
f/k/a GENERAL MOTORS CORP., *et al.*, : (Jointly Administered)
Debtors. : ----- X

APPELLANTS' STATEMENT OF THE ISSUES ON APPEAL AND DESIGNATION OF THE ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure, Appellants, the Ignition Switch Plaintiffs,¹ respectfully submit the following: (i) statement of the issues to be presented on appeal from the *Decision on Imputation, Punitive Damages, and Other No-Strike*

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Judgment. As defined in the Judgement, “**Ignition Switch Plaintiffs**” shall mean plaintiffs that have commenced a lawsuit against New GM asserting economic losses based on or apprising from the Ignition Switch in the Subject Vehicles (each term as defined in the *Agreed and Disputed Stipulations of Fact Pursuant to the Court’s Supplemental Scheduling Order*, dated July 11, 2014, filed August 8, 2014 (ECF No. 12826), at 3).

and No-Dismissal Pleadings Issues, dated November 9, 2015 (ECF No. 13533, as corrected ECF No. 13534) (the “**Decision**”) and the *Judgment*, dated December 4, 2015 (ECF No. 13563) (the “**Judgment**”); and (ii) designation of the items to be included in the record on appeal.

I. Statement Of The Issues To Be Presented On Appeal

Appellants submit the following statement of issues to be presented on appeal:

1. Did the Bankruptcy Court err in holding that “[c]laims that allege that New GM is liable in connection with vehicle owners’ failure to file proofs of claim in the Old GM bankruptcy case are barred and enjoined by the Sale Order, April Decision and June Judgment, and shall not be asserted against New GM” under Paragraph 24 of the Judgment?

II. Designation Of The Items To Be Included In The Record On Appeal

Appellants submit the following designation of items to be included in the record on appeal (including any exhibit, annex, or addendum thereto):

| Item No. | Document | Filing Date | ECF No. |
|----------|---|-------------|---------|
| 1 | Motion for Sale of Property under Section 363(b)/Debtors’ Motion Pursuant to 11 U.S.C. §§ 105, 363(b), (f), (k), and (m), and 365 and Fed. R. Bankr. P. 2002, 6004, and 6006, to (I) Approve (A) The Sale Pursuant to The Master Sale and Purchase Agreement with Vehicle Acquisition Holdings LLC, A U.S. Treasury-Sponsored Purchaser, Free and Clear of Liens, Claims, Encumbrances, and Other Interests; (B) The Assumption and Assignment of Certain Executory Contracts and Unexpired Leases; and (C) Other Relief; and (II) Schedule Sale Approval Hearing | 6/1/2009 | 92 |
| 2 | Notice of Filing of the Amended Master Sale and Purchase Agreement and Certain Exhibits of the Disclosure Schedule Thereto | 6/27/2009 | 2649 |
| 3 | Order (I) Authorizing Sale of Assets Pursuant to Amended and Restated Master Sale and Purchase Agreement with NGMCO, Inc., a U.S. Treasury-Sponsored Purchaser; (II) Authorizing Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection with the Sale; and (III) Granting Related Relief | 7/5/2009 | 2968 |

| Item No. | Document | Filing Date | ECF No. |
|----------|--|-------------|---------|
| 4 | Errata Order Regarding Decision on Debtors' Motion for Approval of (1) Sale of Assets to Vehicle Acquisition Holdings LLC; (2) Assumption and Assignment of Related Executory Contracts; and (3) Entry Into UAW Retiree Settlement Agreement | 7/6/2009 | 2985 |
| 5 | Order Establishing the Deadline For Filing Proofs of Claim (Including Claims Under Section 503(b)(9) of the Bankruptcy Code) and Procedures Relating Thereto and Approving the Form and Manner of Notice Thereof | 9/16/2009 | 4079 |
| 6 | Certificate of Publication of the Notice of Deadlines For Filing Proofs of Claim (Including Claims Under Section 503(b)(9) of the Bankruptcy Code (the General Notice) and the Notice of Deadline for Filing Proofs of Claim (the Local Notice)) | 1/5/2010 | 4724 |
| 7 | Affidavit of Publication of Notice of Deadlines for Filing Certain Proofs of Claim | 1/25/2010 | 4877 |

Dated: December 28, 2015

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

/s/ Steve W. Berman

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the Bankruptcy Court*

CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2015, I caused the Notice of Appeal to be filed and served upon all parties receiving notice via the Court's ECF system.

Dated: December 28, 2015

/s/ Steve W. Berman

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